

DLM REF.: 7R-1524

WAIVER OF SERVICE OF SUMMONS

MAZAROLI

JUL 30 2007

LAW OFFICE

TO: David L. Mazaroli, Attorney for Plaintiff

I acknowledge receipt of your request that I waive service of a summons in the action of ACCESS BUSINESS GROUP INTERNATIONAL LLC, et al. v. BURLINGTON NORTHERN SANTA FE RAILWAY COMPANY, et al. which is case number 07 CIV. 6481 (PKL) in the United States District Court for the Southern District of New York. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without costs to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after July 18, 2007, or within 90 days after that date if the request was sent outside the United States.

Nippon Yusen Kabushiki Kaisha
Nippon Yusen Kaisha
NYK Line
NYK Line (North America) Inc.
300 Lighting Way, 5th Floor
Secaucus, New Jersey 07094

7/24/07
Date

Signed: Lisa Hooker
Name: LISA HOOKER
Title: CLAIMS MANAGER
Company: NYK LINE (NA) INC.